

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF

Juan Angel Martinez, Jr.

COURT CASE NUMBER

C-07-4684 CRB(PR)

DEFENDANT

James E. Tilton et al

TYPE OF PROCESS

Complaint, summons and Order

**SERVE
AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

C.M. Scavetta, Pelican Bay State Prison

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

P.O. Box 7000, Crescent City, CA 95531-7000

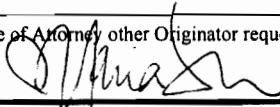
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Juan Angel Martinez, Jr. H-93376
 Pelican Bay State Prison
 C-7-214
 P.O. Box 7500
 Crescent City, CA 95532

Number of process to be
served with this Form 285Number of parties to be
served in this caseCheck for service
on U.S.A.SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses,
All Telephone Numbers, and Estimated Times Available for Service):

Fold

Signature of Attorney or other Originator requesting service on behalf of:



MARIA LOO

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

(415) 522-2000

RECEIVED
 UNITED STATES MARSHAL
 08 JAN 18 PM 4:05
 NORTHERN DISTRICT
 OF CALIFORNIA

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total
 number of process indicated.
 (Sign only for USM 285 if more
 than one USM 285 is submitted)

Total Process

1

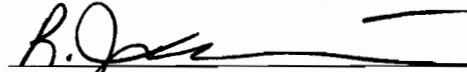
District of
Origin

No. 11

District to
Serve

No. 11

Signature of Authorized USMS Deputy or Clerk



Date

1/23/08

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described
 on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion
 then residing in defendant's usual place
 of abode

Address (complete only different than shown above)

Date

Time

☐ am
☐ pm

Signature of U.S. Marshal or Deputy

Service Fee

\$8.00

Total Mileage Charges
including endeavors)

Forwarding Fee

Total Charges

Advance Deposits


Amount owed to U.S. Marshal* or
(Amount of Refund*)

\$0.00

REMARKS: 1/24/08 - mailed w/ 299 Form

2/14/08 - Acknowledged Receipt of Summons

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment,
if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL

Please type or print legibly, insuring readability of all copies. **DO NOT DETACH ANY COPIES.** Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



UNITED STATES DISTRICT COURT
455 GOLDEN GATE AVENUE, SUITE 11000
SAN FRANCISCO, CA 94102-7004

Public: (415) 703-5500
Telephone: (415) 703-5824
Facsimile: (415) 703-5843
E-Mail: Ken.Roost@doj.ca.gov

February 14, 2008

BY U.S. MAIL
United States Marshals Service
United States Department of Justice
450 Golden Gate Ave.
San Francisco, CA 94102

RE: *Martinez v. Tilton, et al.*
United States District Court, N.D. Cal., Case No. C 07-4684 CRB (PR)

Dear Marshals Service:

I am the attorney assigned to represent Defendants Tilton and Scavetta in the above case.

As the attorney for these Defendants, I acknowledge receipt of the summons, complaint, and waivers, which were sent by the Marshals Service. I agree to save the cost of service of formal summons by not requiring that I or the above Defendants be served with judicial process under Rule 4 of the Federal Rules of Civil Procedure.

This waiver does not waive any defenses or objections to the lawsuit or to the jurisdiction or venue of the Court, except for objections based on a defect in the summons or in the service of the summons. The above Defendants will answer or respond by motion to the complaint in accordance with Federal Rule of Procedure 12 and applicable court orders or party stipulations.

Sincerely,

A handwritten signature in black ink, appearing to read "KRS", written over a horizontal line.

KENNETH T. ROOST
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General